

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In Re: ) Case No 22-42611-BSS  
Dorothy Tonya Jones, ) Honorable Barry S. Schermer  
Debtor. ) Chapter 7  
)  
) **TRUSTEE'S APPLICATION TO**  
) **EMPLOY COUNSEL AND NOTICE OF**  
) **HEARING**  
)  
) **Response Date: December 7, 2022**  
) **Hearing Date: December 14, 2022**  
) **Hearing Time: 2:00 pm**  
) **Location: 5-North**

**TRUSTEE'S APPLICATION TO EMPLOY COUNSEL**  
**AND NOTICE OF HEARING**

**WARNING: THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE BY DECEMBER 7, 2022. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING. REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.**

PLEASE TAKE NOTICE that the Trustee's Application to Employ Counsel (the "Application") will be called up for hearing before the Honorable Barry S. Schermer on **December 14, 2022** at 2:00 p.m. or as soon thereafter as counsel may be heard at the United States Bankruptcy Court, Thomas F. Eagleton Courthouse, 111 South 10th Street, 5th Floor-North Courtroom, St. Louis, Missouri 63102. A duplicate of the Application is available upon request to the undersigned or via the Court's CM/ECF Case Management-Electronic Case Filing System. Any response or objection to such must be filed with the Clerk of the United States Bankruptcy Court, Thomas F. Eagleton United States Courthouse, 111 South 10th Street, 4th Floor, St. Louis, Missouri 63102.

**TRUSTEE'S APPLICATION TO EMPLOY COUNSEL**

COMES NOW Seth A. Albin, Chapter 7 Trustee herein ("Trustee") and for his Application to Employ Counsel respectfully states as follows:

1. Seth A. Albin is the duly appointed, qualified and acting Chapter 7 Trustee herein.
2. The Court has jurisdiction in regard to this matter pursuant to 28 U.S.C. §151, §1334, and Local Rule 9.01(B) of the United States District Court for the Eastern District of Missouri. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2). Venue is proper pursuant to U.S.C. §1409.
3. Debtor filed a Petition for Relief under the provisions of Chapter 7 of Title 11 of the United States Code on August 24, 2022.
4. Trustee desires to employ Brian J. LaFlamme and the law firm of Summers Compton Wells LLC ("SCW"), attorneys duly admitted to the practice of law before this Court, to assist and advise him with respect to certain matters which Trustee believes require the services of an attorney.
5. Trustee states that he requires the assistance of legal counsel for numerous matters in what promises to be a complex estate, including but not limited to:
  - a. Collection of property of the estate;
  - b. Possible avoidance of preferential, fraudulent and similar transfers by the Debtor under Chapter 5 of the United States Bankruptcy Code, 11 U.S.C. § 101-1550 (the "Bankruptcy Code") or other applicable law;
  - c. Preparation and filing of complaints and representation of the Trustee in this Bankruptcy Court or other courts in connection with the above-described matters;
  - d. Necessary legal procedures in discovery, recovery and liquidation of assets;
  - e. Drafting and reviewing motions, complaints, and other pleadings and providing advice regarding any legal disabilities of same or any responses to same;
  - f. Preparation of legal notices, correspondence and other documents as may be required;
  - g. Preparation of other legal instruments, including deeds and bills of sale that may be required; and
  - h. All other legal work that might arise in the case.

6. Legal services are also required to assist the Trustee in the discovery and recovery of additional assets, in the drafting of legally correct notices to creditors, in the objection to and prosecution of claims and addressing all legal issues arising out of or relating to the Chapter 7 case.

7. Said attorneys are experienced in bankruptcy matters and are capable of handling the aforesaid matters.

8. At the present time, the hourly rates of the individuals who may provide services in connection with this case are as follows:

Brian J. LaFlamme - \$325.00 per hour  
Principals of SCW - \$310.00-\$410.00 per hour  
Other Associates of SCW - \$225.00-\$275.00 per hour  
Paralegals/Legal Assistants - \$110.00-\$195.00 per hour

From time to time, the hourly rates may be adjusted.

9. To the best of the Trustee's knowledge, the above individual and firm do not have any connection to nor represent any interest adverse to the Debtor, the creditors, any other party of interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee, other than that arising from the administration of this case and other bankruptcy cases.

WHEREFORE, the Trustee prays that he be authorized to employ said attorneys for the purposes outlined above.

Respectfully Submitted,  
SUMMERS COMPTON WELLS LLC

By: /s/ Seth A. Albin  
Seth A. Albin (#46483MO)  
Chapter 7 Trustee  
903 S Lindbergh Blvd Suite 200  
Saint Louis MO 63131  
(314)991-4999/(314)991-2413/FAX  
[salbin@summerscomptonwells.com](mailto:salbin@summerscomptonwells.com)

Dated: November 1, 2022

**CERTIFICATE OF SERVICE**

I. I certify that a true and correct copy of the Application to Employ was filed electronically on November 1, 2022 with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

Office of the US Trustee : [USTPRegion13.sl.ecf@USDOJ.gov](mailto:USTPRegion13.sl.ecf@USDOJ.gov)

Tracy A. Brown, attorney for Debtor: [tbrownfirm@bktab.com](mailto:tbrownfirm@bktab.com)

II. I certify that a true and correct copy of the Application to Employ was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to the parties listed below on November 1, 2022.

Dorothy Tonya Jones  
2156 Edmund Ave  
Saint Louis MO 63121

/s/ Margaret M Pink  
Margaret M. Pink

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In Re: ) Case No 22-42611-BSS  
Dorothy Tonya Jones, ) Honorable Barry S. Schermer  
 ) Chapter 7  
 )  
Debtor. ) **AFFIDAVIT OF PROPOSED ATTORNEY**  
 )

Brian J. LaFlamme, being duly sworn, deposes and says that he is an attorney at law with the law firm of Summers Compton Wells LLC, and is duly admitted to practice in this Court; that neither he nor the firm represents the above Debtor; that to the best of his knowledge, neither he nor the firm represents any interests adverse to those of the Trustee herein nor to the creditors, and that he knows of no reason why he and the firm should not act as attorneys and counsel for said Trustee in these proceedings.

SUMMERS COMPTON WELLS LLC

Date: November 1, 2022

By: /s/ Brian J. LaFlamme  
Brian J. LaFlamme #49776MO  
Attorney for Trustee  
903 S Lindbergh Blvd Suite 200  
Saint Louis MO 63131  
(314)991-4999/(314)991-2413/FAX  
[blaflamme@summerscomptonwells.com](mailto:blaflamme@summerscomptonwells.com)

Subscribed and sworn to before me this 1<sup>st</sup> day of November, 2022

CHRISTINA HAUCK  
NOTARY PUBLIC-NOTARY SEAL  
STATE OF MISSOURI  
MY COMMISSION EXPIRES AUGUST 25, 2026  
JEFFERSON COUNTY  
COMMISSION #14629322

/s/ Christina Hauck  
NOTARY PUBLIC